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ABSTRACT

Using data from the San Diego City School District as a case study, this paper describes how discipline policies and practices put black and Latino students at a disadvantage. It offers examples of effective approaches to addressing dysfunctional classrooms. It focuses on how San Diego's schools provide unequal educational opportunity in the following ways (1) racial disparities in suspensions and expulsions (including the use of zero tolerance policies); (2) unequal access to advanced placement, enrichment, and college preparatory classes; (3) unequal graduation rates; and (4) a significant demographic shift in the student population unaccompanied by a similar change in the teaching force. The paper notes that students of color stay in school longer and achieve more when they have teachers who share some of their cultural and racial experiences, focusing on the role model effect, the power of expectations, cultural relevance, and teacher retention. It concludes with four policy recommendations: establish goals and benchmarks for success; create a challenging, respectful learning environment for all students; initiate new procedures to monitor discipline practices; and aggressively institute programs to attract more teachers of color. (SM)

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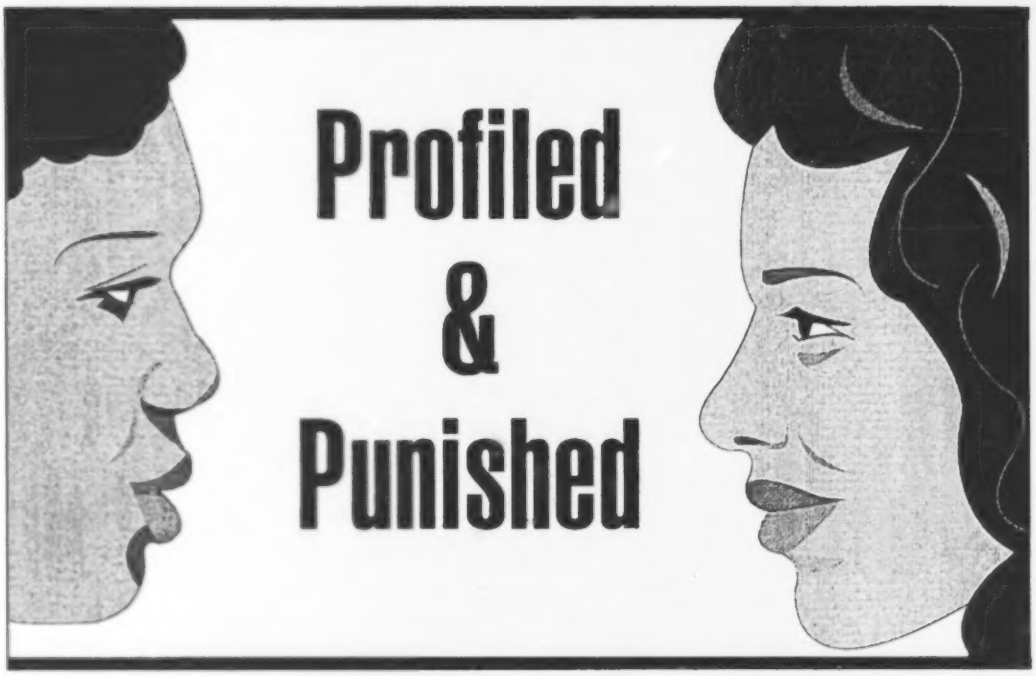

How San Diego Schools Undermine Latino & African American Student Achievement

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Profiled & Punished:

How San Diego Schools Undermine Latino & African American Student Achievement

We have found no evidence that simplistic and politically popular strategies really work in reducing school violence or improving student behavior, and in fact these approaches seem to be related to a host of negative outcomes, from poor school climate to an increased risk of delinquency. In the long term, school suspension and expulsion may increase the risk for both school drop out and juvenile delinquency.

"Zero Tolerance and School Security Measures: A Failed Experiment"
Russell J. Skiba — Director, Safe and Responsive Schools Project, Indiana University
Peter E. Leone — University of Maryland

Even though the great majority of highly publicized cases of in-school violence—such as the Columbine shootings—have been perpetrated by suburban, middle-class, white students, the policies resulting from efforts to ensure the safety of our public school students have been directed at urban, low-income students of color. Using data from the San Diego City School District as a case study, *Profiled and Punished* offers both a clear description of the ways in which discipline policies and practices disadvantage Black and Latino students and examples of effective approaches to addressing dysfunctional classrooms.

According to the Final Report of the Congressional Bi-Partisan Working Group on Youth Violence (February 2000), the rate of violent crimes committed by youth is lower today than 25 years ago. The report notes that "a common misconception is that schools are becoming an increasingly violent place and do not provide a sanctuary for learning. ... Statistically speaking, schools are among the safest places for children to be."[1]

The data discussed in the congressional report is echoed and amplified by other recent studies that document the fact that even though incidences of student violence are decreasing, suspensions and expulsions are increasing in our nation's public schools.[2] This phenomenon is accompanied by a widespread public perception of schools as more and more dangerous, fueled by melodramatic media coverage and politically driven calls for increasingly draconian "safety" measures.

Students of color are increasingly finding themselves the target of discriminatory disciplinary policies that make schools less conducive to

"Statistically speaking, schools are among the safest places for children to be."

learning and more a portal into the juvenile justice system. This report examines how the policies of the San Diego City School District result in unequal educational opportunity in the following ways:

1. Racial disparities in suspensions and expulsions. Latino and African American students made up 53 percent of total enrollment, yet accounted for 72 percent of all suspensions and 76 percent of students expelled during the 2000–01 academic year.
2. Unequal access to advanced placement/college-preparatory classes. During the 1999–2000 academic year, white students—27 percent of the total student population—made up 44 percent of those in "gifted" programs, compared to 21 percent of Latinos, who comprised 37 percent of the student body, and 8 percent African Americans, who were 16 percent of total student enrollment.
3. Unequal graduation rates. Latino students were 37 percent of the total 1999–2000 enrollment, but only 25 percent of graduates, while white students were 27 percent of enrollment and 36 percent of graduates.
4. A significant demographic shift in the student population unaccompanied by a similar change in the teaching force. Students of color now make up 73 percent of the student population, but the teaching staff is 73 percent white.

"Exclusion from the classroom has too often replaced good teaching and classroom management as the first-choice remedy for difficult student behavior."

Suspensions: The Exception or the Rule?

More than thirty percent of sophomores who drop out of school have been suspended and high school dropouts are more likely to be incarcerated.

Opportunities Suspended:
The Civil Rights Project of
Harvard University report

In 1990, there were almost two million out-of-school suspensions in the U.S., representing 4.8 percent of students. Eight years later, more than three million students—6.8 percent—were suspended.[3] Suspending students represents an unwillingness to provide the structural supports and opportunities that all students need to excel academically. Exclusion from the classroom has too often replaced good teaching and classroom management as the first-choice remedy for difficult student behavior.

The experience of one junior (who asked that his name not be used) at Crawford High School in San Diego illustrates this point. He was suspended for three days after he attempted to defend himself during an altercation with a fellow student. While being attended to by the school nurse, he was summoned to a meeting with the principal. Although no school staff member had witnessed the incident, the student was suspended. This action was in direct violation of the district's own written policy, since it was based on hearsay information. Asked if he thought race had anything to do with his suspension, he replied,

"White students who get in a fight don't always get in trouble. Usually, they get off."

This case could easily be dismissed as an isolated incident were it not for the overwhelming evidence that throughout the San Diego City School District students of color are systematically punished disproportionate to their numbers. During the 1999–2000 academic year, there were 11,839 suspensions, almost 10 percent of the total student population of 140,743. At that time, there were 52,361 (37 percent) Latino students, 38,723 (27 percent) whites, and 23,300 (17 percent) African Americans. Latino and African American students bear the brunt of the district's suspensions. Among students in grades 6 through 12, 45 percent of those suspended were Latino, overrepresenting their portion of the student population by 8 percent. African American students were 31 percent of those students suspended, or nearly twice their rate of enrollment. Suspensions within the district have, in effect, become a dragnet that captures students of color and removes them from the learning environment.

Disruption and Defiance: Who Makes the Call?

Christian Villanueva, a sophomore at Hoover High School, forgot his glasses one day. He asked his teacher if he could sit in the front to be able to take notes, but he was not allowed to do so. Christian observed that his (white) teacher would not allow any students of color to sit at the front of the class, and he inquired why she kept students of color in the back of the room, in addition to being rude and disrespectful in her dealings with them. When he persisted in questioning the teacher, he was sent home for the remainder of the school day and suspended for an additional two days.

Was suspension the best or only alternative in this situation? "There is no question that students annoy their teachers at times," says

"Suspensions within the district have, in effect, become a dragnet that captures students of color and removes them from the learning environment."

The Hidden Realities of Southeast Asian and Asian/Pacific Islander Student Categories

Most data gathered by government agencies cluster Asian American students together irrespective of ethnicity or nation of origin. As a result, the widely divergent experiences of Cambodian, Laotian, and other students aggregated under one classification are rarely addressed. "Often, the transition issues of new immigrant students turn into misunderstandings and academic misplacement," says Teresa Lucter of the Union of Pan Asian Communities in San Diego. "As a result, cultural and language issues become barriers to educational attainment for many students." Disaggregating the data for over 14,000 Asian and Pacific Islander students in the San Diego City School District is critical to understanding and addressing the needs of different Asian student populations.

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The disproportionate rate of school suspension for African Americans has been well documented. A common explanation is that it's because blacks act out more or because blacks are from low-income backgrounds. We found that neither of these statements is true. The more of these alternative explanations we rule out, the more likely it becomes that disproportionality in school discipline is due, not to some characteristic of African American students, but to some form of bias or discrimination in the system. Our findings show that white students were referred to the office more frequently for vandalism, obscene language, leaving without permission, or smoking, while black students were referred to the office for more minor and subjective reasons such as disrespect, excessive noise, or loitering. Teachers who over-refer African American students may be over-reacting to minor cultural differences. We need to ensure that our teacher training programs provide teachers, especially in urban areas, with the tools they need to be able to manage classroom conflicts effectively and equitably.

— Russell Skiba

The Color of Discipline: Source of Racial and Gender Disproportionality in School Punishment
Indiana University Indiana Education Policy Center (2000)

"Teachers perform a critical role in the process of suspension."

Emmanuelle Regis of Californians for Justice. "Teenagers especially can be difficult to handle as they try to establish relationships with authority figures—including parents—that recognize their need for more autonomy. So, the question is not 'Are students disruptive or defiant?' so much as it is 'What can schools do to keep students with behavior problems in the classroom?' If that was the goal, we'd see suspension as the last resort, not the first."

An additional issue raised by Christian's experience is what protections, if any, exist for students who challenge what they believe to be racially motivated actions on the part of teachers. How can students articulate their experiences and perceptions about racial dynamics in their schools without fear of reprisal? California urban schools, which follow the national pattern of a majority student population of color and a majority white teaching staff, need to address these questions.

Teachers perform a critical role in the process of suspension. District policy states that a teacher may suspend a student from his or her class for a total of two days. The teacher is required to request a meeting with the student's parent/guardian regarding the suspension and may also refer the student to the principal or principal's designee for consideration of suspension from school for a maximum of five days for any single cause. Suspension by the principal is supposed to be preceded by a conference with the student and whatever staff person referred the student for disciplinary action, and the meeting is supposed to give the student an opportunity to present evidence in his/her own defense. However, students report that the practice can be far from the policy in many cases.

A total of 1736 students of color were suspended during the 1999-2000 school year on the grounds of "disruption" or "defiance." Of this number, half (868) were African

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American students, and Latino students accounted for another 37 percent (647). Five hundred and eighty-four white students were suspended, comprising 24 percent of suspensions, while they represented 23 percent of the student body.

Expulsion and Zero Tolerance

Janelle Sullivan, an African American student, was an eighth grader at Horace Mann Middle School when an incident occurred that resulted in her expulsion. While she was attempting to stop a fight between two classmates, the campus resource officer stepped in, pushed Janelle to the wall, and handcuffed her. Without asking about the cause of the fight, or even learning who was actually fighting, the officer had Janelle placed under arrest and charged with assault and battery. Her mother was not notified for several hours after her arrest, during which time Janelle remained handcuffed so tightly that she suffered swelling and bruising as a result. Although the incident took place in May, the school board did not review Janelle's case until December, when it ruled that Janelle could return to a regular district school in January. In the meantime, Janelle was assigned to Alba, a continuation school; she was also placed on six months' probation by the Juvenile Justice Court.

Incidents like Janelle's are becoming common in many urban districts. As Alan McEvoy, president of the National Safe Schools Coalition observes, "Zero Tolerance means zero understanding. It is applied in irrational ways and creates a sense that the system is unjust."[4] California state law enforcement officials agree. Lieutenant Robert Martin of the San Diego City Schools Police Services Department says, "I personally don't think 'zero tolerance' is effective. ... A punishment like arrest and incarceration should not be applied to offenses like fights and tobacco use. There are better ways to deal with these kids." In a report by Fight Crime: Invest in Kids California,[5] Sacramento County District Attorney Jan Scully remarks, "I'd rather send kids to an after-school program than to jail." In addition, Jason Zeideger, policy analyst with the Center for Juvenile and Criminal Justice in Washington, D.C., states, "We know that white youth are just as likely as African American and Latino youth to be involved in juvenile crime, but African American and Latino kids are disproportionately punished in the criminal justice system. We suspect the same is true for school discipline."

The process for expulsion from the San Diego public schools is quite extensive. Students are entitled to a hearing before the Board of Education, must be given written notice of the offense and copies of all documents to be used at the hearing, may hire an attorney to be present at the hearing, and have the right to present evidence in their own defense. A decision by the Board of Education to expel a student can only be based on evidence brought forward at the expulsion hearing. Such detailed and thorough procedures would lead one to think that expulsion is a rare occurrence. However, as the chart below indicates, both the State of California and the San Diego public schools have "zero tolerance" policies that greatly expand on the fed-

"Zero Tolerance means zero understanding. It is applied in irrational ways and creates a sense that the system is unjust."

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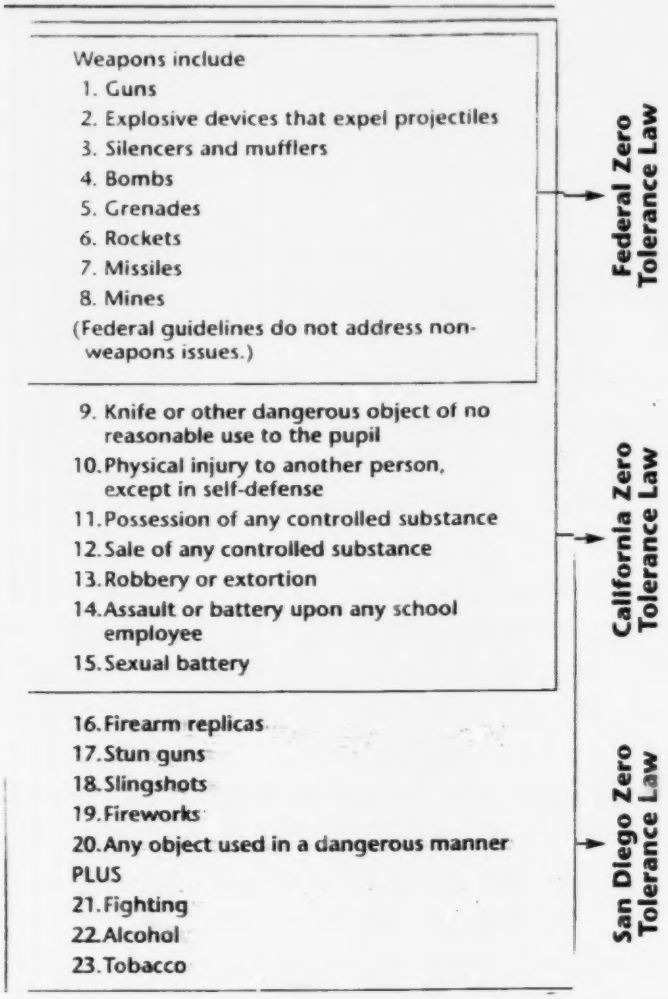
The Expansion of Zero Tolerance Expulsions


Weapons include
1. Guns
2. Explosive devices that expel projectiles
3. Silencers and mufflers
4. Bombs
5. Grenades
6. Rockets
7. Missiles
8. Mines
(Federal guidelines do not address non-weapons issues.)
Federal Zero Tolerance Law
9. Knife or other dangerous object of no reasonable use to the pupil
10. Physical injury to another person, except in self-defense
11. Possession of any controlled substance
12. Sale of any controlled substance
13. Robbery or extortion
14. Assault or battery upon any school employee
15. Sexual battery
California Zero Tolerance Law
16. Firearm replicas
17. Stun guns
18. Slingshots
19. Fireworks
20. Any object used in a dangerous manner
PLUS
21. Fighting
22. Alcohol
23. Tobacco
San Diego Zero Tolerance Law

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eral guidelines, leaving students in the perilous position of risking expulsion for offenses that have little to do with school safety.

Zero Tolerance Policies

In 1999–2000, there were three times as many Latino students (108) and twice as many African American students (79) than white students (37) expelled. As the chart above illustrates, the State of California's "zero tolerance" policies double the federal list of offenses that lead automatically to expulsion, and the San Diego City School District adds even more offenses. In addition, San Diego names *off-campus* situations that call for expulsion, including students who commit offenses during lunch periods, while traveling to/from school, and while traveling to/from or attending a school-sponsored activity. For example, a student in the San Diego public schools could be expelled for smoking at a basketball game held 50 miles away from her school. Students in San Diego face a "triple threat"—they are at risk of expulsion at a rate of more than three times the federal mandate for "zero tolerance."

Academic Achievement

All parents want their children to attend safe schools where they receive a high-quality education that prepares them to have options and opportunities. However, while students of color are overrepresented in suspension, expulsion, and dropout rates, they are underrepresented in enrichment programs and college preparatory courses.

In 1999–2000, at 27 percent of the student body, whites accounted for

36 percent of the district's graduates, compared to the Latino student population of 36 percent with a graduation rate of 25 percent, and African American students, who made up 16 percent of total students and graduated at a rate of 14 percent. In addition, Latino and African American students accounted for 49 percent of all dropouts of high school students. Clearly, the graduation rate is a reflection of both the dropout rate and expulsion policies—students can't graduate if they are no longer attending school.

Conversely, Latino students comprised only one percent of the total number of students enrolled in advanced placement/college preparatory programs, and African American students only eight percent. Of students receiving diplomas in 1999–2000, only 38 percent had completed the University of California high school course requirements for admission to a state university. Latino and African American students had the lowest rate (22 percent) for completion of these courses.

We have noted that teachers in the San Diego City School District have a great deal of discretion when it comes to implementing theoretically "race-neutral" discipline policies. It is also important to understand the implications of the fact that most of the teachers implementing the policies are white, and most of the students being disciplined are young people of color.

How Important is it to Have Teachers of Color?

Many years of studies suggest that teachers of color are important—both for students of color and for white students. Scholars have identified several key reasons that students of color stay in school longer and achieve more when they have teachers who share some of their racial and cultural experience. These include:

- ***The Role Model Effect***

  Both common sense and considerable research suggest that teachers of color provide students of color with invaluable examples of successful, respected adults.[6] More particularly, teachers of color provide models of success in the academic arena, where students of color are often expected to fail.

- ***The Power of Expectations***

  Many studies have shown the effects of teachers' expectations on how—and how well—their students learn. This self-fulfilling prophecy effect is well documented,[7] and classically demonstrated in Rosenthal and Jacobson's 1968 study, Pygmalion in the Classroom.

  Research shows that teachers of color often have both higher expectations and higher standards for students of color than do white teachers. As one veteran African American teacher in Washington, DC put it, "Different people see different things in children. I see that they're eager to learn. They're going to carry on a whole lot of foolishness before they get

"In order to counter the loss of valuable human potential, it is imperative for California to take a radically different approach to school discipline."

down to the business, but when you really start with those children, they want to learn. And they are great learners."[8]

- ***Cultural relevance***

  Teachers who share their students' culture and life experiences bring to the classroom an extra knowledge about those students, which they can use to fashion teaching that works. They also serve as cultural mediators among school, parents, and community. Teachers are much more likely to reach out at all, and to reach out successfully to parents with whom they feel "at home" culturally. This mediation function has special salience in communities where many parents do not speak English. A teacher who speaks the parents' language and literally knows the place "where they're coming from," can help draw them into their children's education. That parental involvement is a crucial component of academic success.

  Deputy State Superintendent of Schools Henry Der confirms the importance of teachers who share their students' culture. Speaking in the aftermath of the shootings at Columbine High School in Colorado, Der said, "People have discussed the physical aspects of safety and security, but we also have to address the kind of support we are giving our kids throughout the education system. There's been a superficial focus on getting more counselors and psychological help. But what our curriculum framework fails to address in a substantive way," Der continues, "is the question of how we contextualize education so the students can really connect with learning and their teachers. Part of that has to include the makeup of the teaching force. It all comes down to day-to-day interaction in the classroom. Is the student motivated to learn? Does th teacher know something about the student?"

- ***Teacher retention***

  At least one study shows that teachers of color are more likely than white teachers to continue teaching at hard-to-staff urban schools, where teacher turnover is a major barrier to quality education.[9]

  Of course, students of color are not the only ones to benefit from a diverse teaching corps. White students also derive important lessons when their role models include teachers of color. As people of color emerge as the demographic majority in California, white students are well served by an education that prepares them to live and work in a multicultural, multiracial and multilingual society.

Alternative Directions

In order to counter the loss of valuable human potential, it is imperative for California to take a radically different approach to school discipline. Although many schools address safety issues by relying on punitive discipline methods and intrusive and costly security measures—such as security guards, body

and locker checks, video surveillance systems, and security fences—viable alternatives do exist and have been successfully implemented.

- At Schwab Middle School in Cincinnati, for example, teachers and administrators are fulfilling their commitment to keeping youth in school by implementing an instructive rather than a punitive approach to discipline. Schwab uses interdisciplinary teams and allows time for students to meet with advisors as part of a preventative approach to disruptive behavior. Rather than blaming the victims of a dysfunctional educational system, Schwab is working to support students who they see as acting out in response to academic frustration and institutional racism.[8]
- El Puente Academy for Peace and Justice in Brooklyn, New York, has created a supportive school atmosphere for its 132 students, 99 percent of whom are young people of color. The academy has accomplished this reorganization using innovative approaches such as:
  a. reconfiguring classes so that students have more interaction with one another;
  b. instituting a team-building approach, including a process by which to make the expectations of both students and teachers clear;
  c. reinterpreting the role of teachers and other staff (now called "facilitators");
  d. hiring teachers who share the cultures of the students and often live in their neighborhoods; and
  e. integrating students' cultures and languages into the curriculum and school activities.

The rewards of El Puente's structure are manifested in high student achievement—93 percent of its graduates are admitted to college[10]—and a low discipline rate. "If there are problems with behavior, we sit with the students and talk to them," says Luis Acosta, the school's founder. "We don't expel students."

- After-school programs in California are reducing crime and punishment rates and increasing student achievement. According to a Fight Crime: Invest in Kids California report,[10] students participating in after-school programs in 12 "high-risk" schools (all with student populations that were predominantly low-income young people of color) were less likely by two thirds to engage in vandalism or stealing and less likely by half to carry weapons or engage in violent activity. Suspensions/expulsions dropped by a third in the schools studied. In addition, students receiving failing grades decreased by one third, and students moved up from the lowest-performing quartile on the SAT-9 reading test at almost three times the rate of the general student population.

"If there are problems with behavior, we sit with the students and talk to them ... We don't expel students."

Schools like Schwab and El Puente Academy for Peace and Justice serve as models of effective approaches to discipline and dispel the myth that

urban schools with high concentrations of students of color necessitate harsh and punitive discipline measures. While their approaches to discipline set them apart, in other ways these schools are typical of urban schools across the country. The major difference is that staff at Schwab and El Puente have systemically altered the culture of their schools by breaking long-established patterns of punishing students. Significantly, these schools did not address discipline problems by merely changing disciplinary policies and practices—they fundamentally altered the climate and culture of the entire school.

Policy Recommendations

Current discipline policies such as suspension and expulsion—including "zero tolerance"—are based on the perspective and assumption that individual students are the problem. A fundamental policy shift that acknowledges the learning environment as a communal responsibility and discipline issues as a communal problem needs to take place. Policies that include the removal of students from the learning environment as a primary option should be replaced with policies, procedures, and practices that address the root causes of dysfunctional classrooms and enhance the learning environment for all students. To that end we recommend the following:

1. Establish goals and benchmarks for success.

   California school districts—in collaboration with parents, students, and other community members—must set measurable, quantitative goals to reduce the overall number of suspensions and expulsions, and to eliminate racial disparities. For example:

   - Include in the safety plan a goal of reducing the number of suspensions and expulsions in a district by 50 percent in the next two years. Districts should create and disseminate alternatives, so that suspension and expulsion become the disciplinary actions of last resort. One alternative that needs to be explored is the implementation of after-school programs, which have been shown to be effective in terms of both crime reduction and cost containment.[11]
   - Where significant racial disparities exist and persist, school districts should make a priority of determining the reasons for the inequity and the means for correcting it. Districts should also provide resources for schools that do not meet improvement goals, recognizing that punitive measures are no more likely to be effective for schools than they have been for students.

"The implementation of after-school programs...have been shown to be effective in terms of both crime reduction and cost containment."

2. Create a challenging, respectful learning environment for all students.

   The learning environment of California schools should be the primary policy focus. Districts should assist schools in exploring proactive practices, instead of punitive policies, to minimize school disciplinary problems. For example:

   - A rigorous and culturally relevant curriculum
   - A restructured learning environment that includes smaller units and reduced class size
   - Staff training that focuses on proactive classroom management, cultural competence, and high expectations for all students
   - Community and parent involvement as an essential component of the school environment

3. Institute new procedures to monitor discipline practices.

An approach to discipline that addresses core issues rather than punishes and excludes students is necessary in order to avoid recycling students through the current suspension/expulsion process. For example:

- Review bodies made up of all stakeholders—students, parents, teachers, administrators, and community members—should be created to monitor the discipline process for fairness and effectiveness.
- Schools should be required to fully report all discipline data disaggregated by race, gender, and grade of the student, the nature of the offense, and the nature of the resulting discipline. The reports should be easily accessible to policy-makers and the public.

4. Aggressively institute programs to attract more teachers of color.

- Expand programs and funding to enable paraprofessionals and substitute teachers to become credentialed teachers.
- Provide salary incentives for teaching in high-need schools, including student loan waivers.
- Increase teachers' starting salary in order to recruit and retain more teachers.

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1 "Final Report of the Bi-Partisan Working Group on Youth Violence" to the 106th Congress (February 2000).

2 Two reports by the Justice Policy Institute (JPI) illustrate the problem. *School House Hype* found "a stark disconnect between public perceptions of youth crime and ... actual crime rates ... [and] although there was less than a one in two million chance of being killed in [a] school in 1999, 71 percent of respondents to an NBC/*Wall Street Journal* poll believed that a school shooting was likely in their community." In *Off Balance*, JPI reports a study showing that television news coverage in California focused nearly seven in ten stories about violence on young perpetrators, while "youth arrests made up only 15 percent of arrests for violent crime" in the year studied.

3 "Elementary and Secondary School Civil Rights Compliance Report Data Projected by Nation for 1990, 1992, 1994, 1997, 1998 Compliance Reports, by Membership and Out-of-School Suspensions," Office for Civil Rights, U.S. Dept. of Education (2001).

4 Joiner, L. L. "Rethinking Zero Tolerance and Profiling," *American School Board Journal* (March 2002).

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7 Tauber, R., *Self-fulfilling Prophecy: A Practical Guide to Its Use in Education*, Praeger (1997).

8 Mitchell, Antoinette, "African American Teachers: Unique Roles and Universal Lessons," *Education and Urban Society*, Vol. 31, No. 1 (November 1998).

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10 Sandler, S. "Turning to Each Other Not on Each Other: How School Communities Prevent Racial Bias in School Discipline," Justice Matters Institute (2000).

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The ERASE Initiative

An examination of any dimension public education today—funding, curriculum, school discipline, or graduation—reveals vast differences between the experiences of people of color and those of their white counterparts. Together these differences make up a system of institutional racism throughout public education in this country.

The ERASE (Expose Racism and Advance School Excellence) Initiative is a national program, which challenges racism in public schools and promotes racial justice and academic excellence for all students. The program is coordinated by the applied Research Center, a public policy, education and research institute which emphasizes issues of race and social change.

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Padres Unidos	Denver, CO
Parents for Unity	Los Angeles, CA
Partners in Education	Nyack, NY
People United for a Better Oakland	Oakland, CA
Seattle Young People's Project	Seattle, WA
Southwest Organizing Project	Albuquerque, NM
Springfield Alliance for Equality and Respect	Springfield, OR
Statewide Parent Advocacy Network	New Jersey
Tenants and Workers Support Committee	Alexandria, VA

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